

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2638 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
5. Whether it is to be circulated to the Civil Judge? : NO

HARESHKUMAR CHELADAS PARMAR

Versus

STATE OF GUJARAT

Appearance:

MR RK MISHRA for Petitioners

MR VB GHARANIA instructed by MR SP HASURKAR for
Respondent No.1, 2 & 3

None present for Respondent No.4

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 15/08/1999

ORAL JUDGEMENT

#. The learned counsel for the parties are in agreement that respondent No.4 is neither necessary nor proper party to this Special Civil Application. Name of respondent No.4 is ordered to be deleted from the cause title of the Special Civil Application. The office is

directed to make necessary correction in the cause title of the Special Civil Application.

#. The learned counsel for the parties are also in agreement that this matter is squarely covered by decision of this Court given in Special Civil Application No.12243 of 1994 decided on 11.9.98. The learned counsel for the petitioners made reference to another decision of this Court in the case of Rathwa S. Jesingbhai v. State of Gujarat dated 6.8.99 wherein this Court, relying on the earlier decision aforesaid, has taken the same view.

#. In the result, this Special Civil Application succeeds and the same is allowed. The respondents are directed to regularize the services of the petitioners from the date of Circular dated 6.4.94. The petitioners shall also be given time scale grade salary admissible under the relevant rules payable to the employees of class-IV category with all consequential benefits. Rule is made absolute in aforesaid terms with no order as to costs.

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[sunil]